

COMMONWEALTH OF MASSACHUSETTS
PLYMOUTH, SS. SUPERIOR COURT DEPT.
C.A. NO. 2483CV00692

PAUL O'KEEFE, INDIVIDUALLY & AS PERSONAL
REPRESENTATIVE OF THE ESTATE OF JOHN
JOSEPH O'KEEFE, III; MARGARET O'KEEFE,
INDIVIDUALLY AND AS GRANDPARENT / GUARDIAN
OF KAYLEY FURBUSH; and JOHN O'KEEFE, II,
Plaintiffs,

v.

C&C HOSPITALITY, LLC, d/b/a C.F. MCCARTHY'S;
G&S HOSPITALITY, LLC d/b/a C.F. MCCARTHY'S;
WATERFALL BAR & GRILL, LTD d/b/a WATERFALL
BAR & GRILL; and KAREN READ,
Defendants.

**AFFIDAVIT OF MARLEE HORWITZ, ESQ. IN SUPPORT OF PLAINTIFF'S MOTION
FOR COUNSEL TO APPEAR *PRO HAC VICE***

I, MARLEE HORWITZ, being duly sworn, deposes and states:

1. My name is Marlee Horwitz, and I am an attorney in the law firm of Fell Law, PC located at 10680 Trenea Street, Suite 160, San Diego, CA 92131.
2. I seek to represent the Plaintiff in this action, Paul O'Keefe, individually and as personal representative of the estate of John Joseph O'Keefe III; Margaret O'Keefe, individually and as grandparent/Guardian of Kayley Furbush; and John O'Keefe, II.
3. I am an attorney at law and have been admitted to the practice in California since December 6, 2021. See Ex. A. Certificate of Good Standing
4. I have at no time been denied admission *pro hac vice* in Massachusetts, nor have I had any such admission *pro hac vice* revoked in Massachusetts.
5. I have not been disciplined or sanctioned by any court in Massachusetts. Nor have disciplinary proceedings ever been brought against me in any other jurisdiction.

6. I have not at any time been formally held in contempt or otherwise sanctioned by any court in any written order.
7. Pursuant to S.J.C. R. 3.15, a \$355.⁰⁰ registration fee is paid and attached hereto. See Ex. B. Proof of receipt of payment.
8. I am associated in this matter with Massachusetts counsel of record, Marc A. Diller, Esquire, with the firm of Diller Law, LLP, 50 Congress Street, Suite 420, Boston, MA 02109. I will continue to be associated with Attorney, Marc A. Diller, Esquire throughout all phases of litigation, as well as for trial and any hearings related to the within cause of action.

SUBSCRIBED AND SWORN UNDER THE PAINS AND PENALTIES OF PERJURY
THE 25th DAY OF FEBRUARY 2026.

A handwritten signature in black ink, appearing to read "Marlee R. Horwitz", is written over a horizontal line.

Marlee Horwitz, Esq.

EXHIBIT A

THE STATE BAR OF CALIFORNIA CERTIFICATE OF STANDING

ISSUE DATE: 2/23/2026

LICENSEE NAME: Marlee Ann Horwitz

LICENSEE BAR NUMBER: 340729

LICENSEE STATUS: Active

ADMIT DATE: 12/6/2021

To Whom it May Concern:

This certificate of standing certifies the record above is a true and correct copy of Marlee Ann Horwitz's current standing with the State Bar of California as of the issue date. No recommendation for discipline for professional or other misconduct has ever been made by the Board of Trustees or a Disciplinary Board to the Supreme Court of the State of California.



Carolina Almarante-Terrero

Custodian of Record

EXHIBIT B

BOARD OF BAR OVERSEERS
One Beacon Street, 10th Floor, Boston, Massachusetts 02108

REGISTRATION STATEMENT FOR PRO HAC VICE ATTORNEYS

ATTORNEY NAME (First, MI, Last, Suffix): Marlee Horwitz

Email Address: Marlee@fellfirm.com

Complete Business/Mailing Address:

Fell Law, PC, 10680 Trenea Street, Suite 160, San Diego, CA 92131

Mailing: 10531 4S Commons Dr., Ste. 166-610, San Diego, CA 92127

Business Phone Number: (858) 201-3960

Board of Bar Overseers Administrative Use Only	
Date Received:	<u>02-27-26</u>
Amount Paid:	<u>\$365.95</u>
Date Confirmation Emailed:	<u>02-27-26</u>

Court in which pro hac vice admission is sought: Plymouth Superior Court

Contact number for court: (508) 583-8250

Party to be represented: Plaintiffs Paul O'Keefe ("Paul"), et al.

Docket number of case (if available): 2483CV00692

Jurisdictions to which you have been admitted: (Use second page for additional jurisdictions.)

Type	Jurisdictions	License Numbers
<u>Exam</u>	<u>California</u>	<u>340729</u>
<u>PHV</u>	<u>Ohio</u>	<u>27431</u>

I certify that (check one): ☐ the party I am representing in the case for which I am seeking pro hac vice admission is an indigent client, and I understand that no pro hac vice fee is due, or ☒ I have included the required pro hac vice fee.

Further, I certify, under the pains and penalties of perjury, that I am admitted to practice and in good standing in every jurisdiction where I am admitted, and I acknowledge that I am subject to discipline by the Massachusetts Supreme Judicial Court and the Board of Bar Overseers. I understand I am limited in my legal practice in Massachusetts to the case identified above.

I certify the information I have supplied the Board of Bar Overseers is true and complete.

Marlee R Horwitz
Signature

2/25/2026
Date

Jurisdictions continued:

Type	Jurisdictions	License Number

Please mail the completed form to:

Board of Bar Overseers, One Beacon Street, 10th Floor
Boston, MA 02108